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HOUSE BILL 948

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

LARRY A. LARRANAGA

AN ACT

RELATING TO GAMING; ENACTING THE SENIOR CITIZEN BINGO ACT;
AUTHORIZING SENIOR CITIZEN GROUPS TO CONDUCT BINGO GAMES;
PROVIDING CIVIL PENALTIES; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE. --This act may be cited as the
"Senior Citizen Bingo Act".

Section 2. PURPOSE OF ACT. --The purpose of the Senior
Citizen Bingo Act is to make lawful the conduct of bingo games
by senior citizen groups and to enhance the social interaction
enjoyed by senior citizen groups that engage in bingo games.

Section 3. DEFINITIONS. --As used in the Senior Citizen
Bingo Act:

A. "bingo" means a game in which prizes are awarded
on the basis of designated numbers or symbols on a card

Underscored material = new
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1 conforming to numbers or symbols selected at random and for
2 which no cards are sold except at the time and place of the
3 game;

4 B. "occasion" means a single gathering or session in
5 which a series of one or more bingo games are played; and

6 C. "senior citizen group" means an organization,
7 including nursing facilities; homes for the aged or disabled;
8 private residences that provide personal care, sheltered care or
9 nursing care for one or more persons; adult daycare centers;
10 boarding homes; or adult residential shelter care homes, the
11 majority of the membership or participants of which consists of
12 individuals fifty-five years of age or older and that provides
13 recreational or social activities, or both, for those
14 individuals.

15 Section 4. SENIOR CITIZEN BINGO--PERMITTED--LICENSE NOT
16 REQUIRED--PENALTIES--ENFORCEMENT. --

17 A. Nothing in Chapter 30, Article 19 NMSA 1978 shall
18 be interpreted to prevent senior citizen groups from
19 participating in bingo; provided, however, that:

20 (1) no person other than a player participating
21 in the bingo receives or becomes entitled to receive a part of
22 the proceeds from the bingo;

23 (2) no minor is permitted to participate in the
24 conduct of or play in the bingo;

25 (3) the staff or patrons of the senior citizen

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1 group shall conduct and oversee the bingo; and

2 (4) the aggregate amount of all prizes offered
3 or given in all bingo played on a single occasion by a senior
4 citizen group shall not exceed one hundred dollars (\$100).

5 B. No senior citizen group shall be required to have
6 a license to conduct bingo.

7 Section 5. CIVIL PENALTIES. --

8 A. If the state agency on aging reasonably believes
9 that a senior citizen group has violated or is violating any
10 provision of the Senior Citizen Bingo Act, the state agency on
11 aging may refer the matter to the attorney general or a district
12 attorney for enforcement.

13 B. The attorney general or district attorney may
14 institute a civil action in district court for any violation of
15 the Senior Citizen Bingo Act or to prevent a violation of that
16 act. An action for relief may include a permanent or temporary
17 injunction, a restraining order or any other appropriate order,
18 including a civil penalty of fifty dollars (\$50.00) for each
19 violation.

20 Section 6. EMERGENCY. --It is necessary for the public
21 peace, health and safety that this act take effect immediately.

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State of New Mexico
House of Representatives

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 27, 1997

Mr. Speaker:

Your BUSINESS AND INDUSTRY COMMITTEE, to whom has
been referred

HOUSE BILL 948

has had it under consideration and reports same with
recommendation that it DO PASS, amended as follows:

1. On page 2, between lines 3 and 4, insert:

"B. "long-term care provider" means a nursing
facility, home for the aged or disabled, adult daycare center,
boarding home, adult residential shelter care, private residence
that provides personal care, sheltered care or nursing care for
one or more persons or other similar adult daycare facility or

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HBIC/HB 948

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residential facility for senior citizens;".

2. Reletter succeeding subsections accordingly.

3. On page 2, line 5, strike "and".

4. On page 2, between lines 5 and 6, insert the following:

"C. "senior citizen center" means a site at which senior citizens may congregate for recreational or social activities; and".

5. Reletter the succeeding subsection accordingly.

6. On page 2, line 6, strike the comma, strike lines 7 through 14 and insert in lieu thereof:

"or long-term care provider in which the majority of the members, residents or participants consists of individuals who are fifty-five years of age or older and that provides recreational or social activities for those individuals. "

7. On page 2, line 18, after "prevent" insert "long-term care providers, senior citizen centers or".

8. On page 2, line 19, before "participating" insert "offering or".

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

HBIC/HB 948

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9. On page 3, line 8, strike the subsection designation
"A. ".
10. On page 3, strike lines 13 through 19 in their entirety.,
and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

Fred Luna, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HBIC/HB 948

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The roll call vote was 8 For 0 Against

Yes: 8

Excused: Alwin, Kissner, Lutz, Varela

Absent: Getty

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State of New Mexico House of Representatives

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

March 12, 1997

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 948, as amended

**has had it under consideration and reports same with
recommendation that it DO PASS.**

Respectfully submitted,

Thomas P. Foy, Chairman

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: M P. Garcia, King, Mallory, Rios, Sanchez, Stewart

Absent: None

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 18, 1997

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

HOUSE BILL 948, as amended

has had it under consideration and reports same with recommendation that it DO PASS.

Respectfully submitted,

Shannon Robinson, Chairman

Adopted _____ Not Adopted _____

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

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(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Boitano, Feldman, Vernon, Rodarte

Absent: None

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